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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,577	10/06/2003	Mihal Lazaridis	PAT 53947-2	3123
26123 7590 07/03/2007 BORDEN LADNER GERVAIS LLP WORLD EXCHANGE PLAZA 100 QUEEN STREET SUITE 1100 OTTAWA, ON K1P 1J9 CANADA			EXAMINER DANG, HUNG Q	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 07/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

8

Office Action Summary	Application No. 10/679,577	Applicant(s) LAZARIDIS ET AL.	
	Examiner Hung Q. Dang	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☐ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

1. This communication is in response to application's amendment dated 6/11/2007. The amendment of claim 1 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muurinen U.S. Patent 5,408,060 in view of Acevedo U.S. Patent 5,818,361.

Regarding claims 1, 3-5 and 11, Muurinen teaches a mobile device for executing at least two applications (implied, applications involved the use of alphanumeric characters such as text messaging, calculating), having a keyboard (figure 7, unit 14); Said keyboard having a plurality of keys (see figure 7), each of the keys having at least two pre-existing indicia depicted thereon (see figures 1 through 4b); a backlight controller (see figures 8-13 and columns 3-4) responsive to the active input mode provided by an input mode selector (Figure 7, unit 16) for controlling at least one light source to selectively illuminate one of the at least two pre-existing indicia on the

Art Unit: 2612

plurality of keys, the illuminated indicia defining an active portion of the keyboard of the mobile device (see columns 3-4).

However, Muurinen does not specifically teach that said input mode selector receives, from one of the at least two applications, a signal indicative of a default active input mode in response to execution of the one of the at least two applications.

Acevedo, in the same field of endeavor, teaches an input device, wherein in response to execution of one of at least two applications, a signal is sent to the input mode selector 13, when a particular software application or game is launched, indicating the default active input mode so that the input mode selector 13 can configure the display keys accordingly (see column 4 line 25 to column 5 line 19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an input mode selector receives, from one of the at least two applications, a signal indicative of a default active input mode in response to execution of one of the at least two applications so that designated keys can be configured and illuminated according to each application.

Regarding claim 2, Muurinen also teaches wherein the input mode selector determines the active input mode in response to actuator of one of a toggle key and a function key (Figure 7, function key 16).

Regarding claim 6, Muurinen also teaches the at least one light emitting diode being connected to the keyboard by at least one light pipe (column 6 lines 24-25 and figures 9-10, unit 19).

Art Unit: 2612

Regarding claim 7, the active portion disclosed by Muurinen is also illuminated using a different illumination level than a non-active portion of the keyboard (column 3, lines 11-66).

Regarding claim 8, the examiner takes official notice that optical cancellation method has been commonly used for canceling undesired optical signals to achieve optimal illumination in many optical illuminated devices. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide optical cancellation method to the mobile device disclosed by Muurinen in view of Acevedo so that optimal illumination of the desired keys disclosed by Muurinen in view of Acevedo can be achieved.

Regarding claim 9, the active portion disclosed by Muurinen is also selectively illuminated using a colored light.

Regarding claim 10, Muurinen also teaches selectively illuminating the active portion using a different color than a non-active portion of the keyboard (column 3, lines 11-66).

Conclusion

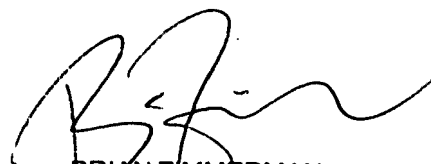
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571) 272-3069. The examiner can normally be reached on 9:30AM-6PM.

Art Unit: 2612

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Q Dang
6/23/2007
H.D.



BRIAN ZIMMERMAN
PRIMARY EXAMINER